

SEVENTH DAY

(Friday, September 22, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Holekamp.
Adamson.	Holland.
Aikin.	Holloway.
Alexander.	Hoskins.
Alsup.	Huddleston.
Anderson.	Hughes.
Baker.	Hunt.
Barrett.	Hyder.
Barron.	Jackson.
Beck.	James.
Bedford.	Jefferson.
Bourne.	Jones of Atascosa.
Bradley.	Jones of Runnels.
Burns.	Jones of Shelby.
Butler.	Kyle of Hays.
Calvert.	Kyle of Palo Pinto.
Camp.	Laird.
Canon.	Latham.
Cathey.	Lemens.
Caven.	Leonard.
Celaya.	Lindsey.
Clayton.	Long.
Colson.	Mackay.
Coombes.	Magee.
Cowley.	Mathis.
Crossley.	McClain.
Daniel.	McCullough.
Davidson.	McGregor.
Dean.	McKee.
Devall.	Metcalf.
Dunlap.	Mitcham.
Dunagan.	Moffett.
Dwyer.	Moore.
Engelhard.	Morrison.
Fain.	Morse.
Few.	Nicholson.
Fisher.	Parkhouse.
Ford.	Patterson.
Fuchs.	Pavlica.
Glass.	Pope.
Golson.	Puryear.
Good.	Ramsey.
Goodman.	Ray.
Graves.	Reader.
Greathouse.	Reed of Bowie.
Griffith.	Reed of Dallas.
Hankamer.	Renfro.
Harman.	Riddle.
Harris.	Roberts.
Harrison.	Rogers
Hartzog.	of Ochiltree.
Head.	Rollins.
Hester.	Ross.
Hicks.	Russell.
Hill of Brazoria.	Scarborough.
Hill of Webb.	Shannon.
Hodges.	Shults.

Smith.	Townsend.
Stanfield.	Turlington.
Steward.	Van Zandt.
Stinson.	Vaughan.
Stovall.	Walker.
Stubbeman.	Weinert.
Sullivant.	Wells.
Tarwater.	Winningham.
Tennyson.	Wood.
Thomas.	Young.
Tillery.	

Absent

Duvall. Rogers of Hunt.

Absent—Excused

Chastain.	Merritt.
Johnson	Munson.
of Anderson.	Palmer.
Johnson	Ratliff.
of Dimmit.	Savage.
Kayton.	Scott.
Lotief.	Wagstaff.
McDougald.	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Merritt for today and tomorrow, on motion of Mr. Jackson.

Mr. Scott for today, on motion of Mr. Good.

Mr. Savage for today, on motion of Mr. Shannon.

Mr. Wagstaff for today, on motion of Mr. Aikin.

Mr. Munson for today, on motion of Mr. Reed of Dallas.

Mr. McDougald for today, on motion of Mr. Parkhouse.

Mr. Palmer for today, on motion of Mr. Butler.

Mr. Lotief for today, on motion of Mr. Fuchs.

Mr. Ratliff for today, on motion of Mr. Dean.

Mr. Chastain for today, on motion of Mr. Harris.

Mr. Johnson of Anderson for today, on motion of Mr. Devall.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Harman:

H. B. No. 11, A bill to be entitled "An Act making an appropriation, to be paid out of the General Revenue Fund of the State of Texas, of the sum of two thousand five hundred dollars (\$2,500), not otherwise appropriated, to pay for an electric frigid unit for the Governor's Mansion; to build a retaining wall on the north side of the grounds of the Governor's Mansion; to fill the low places on the north side of the grounds, and to do such other work as may be necessary, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Duvall, Mr. McGregor, Mr. Hoskins, Mr. Good, Mr. Holloway, Mr. McKee, Mr. Pavlica, Mr. Hankamer, Mr. McCullough, Mr. Fuchs, Mr. Harris, Mr. Barrett, Mr. Hodges, Mr. Canon, Mr. McClain, Mr. Stinson, Mr. Baker, Mr. Hill of Brazoria, Mr. Mathis, Mr. Scarborough, Mr. Coombes, Mr. Holland, Mr. Celaya, Mr. Devall, Mr. Butler, Mr. Kyle of Palo Pinto, Mr. Steward, Mr. Anderson, Mr. Holekamp, Mr. Hill of Webb, Mr. Clayton, Mr. Long, Mr. Shults, Mr. Jones of Shelby, Mr. Engelhard, Mr. Reader, Mr. Jones of Atascosa, Mr. Griffith, Mr. Young, Mr. James, Mr. Greathouse, Mr. Mackay, Mr. Lotief, Mr. Moore, Mr. Alexander, and Mr. Golson:

H. B. No. 12, A bill to be entitled "An Act amending and re-enacting Subsections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, of Chapter 166, of the Acts of the Forty-third Legislature, being House Bill No. 167, pages 428-433, of the Session Acts of the Forty-third Legislature; appropriating from State funds \$1,260 to defray operating expenses of the Racing Commission for the period ending December 31, 1933; providing that the appropriations made by the Forty-third Legislature for the Department of Agriculture shall not be drawn upon unless the funds in the 'Special Racing Fund' shall be insufficient or unavailable; creating a Racing Commission of three members, to consist of the Commissioner of Agriculture, State Tax Commissioner, and a chairman to be appointed by the Governor; authorizing the Commission to appoint a secretary and other officers and employees; fixing the compensation of the Commissioners and certain employees, and defining the powers and

duties of the Commissioners; etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Pope:

H. B. No. 13, A bill to be entitled "An Act amending the provisions of Article 2968, Revised Civil Statutes of Texas, 1925, as amended by House Bill No. 128, Chapter 26, of the Fifth Called Session of the Forty-first Legislature, providing for the method and time of securing certificates of exemption by persons exempt under the law from payment of poll taxes, and providing that during the continuous residence of the exempt voter in the voting precinct where such exemption certificate was issued, no additional permanent exemption certificate shall be required, and abolishing the necessity of yearly exemption certificates, providing method of securing renewal or reissue of exemption certificates in the event of loss or destruction thereof, and providing for endorsement and registration of certificates in the event of removal from voting precinct of issue to another such voting precinct where certificate is required; etc."

Referred to Committee on State Affairs.

By Mr. Griffith and Mr. Laird.

H. B. No. 14, A bill to be entitled "An Act authorizing and directing the governing boards of the several State-supported institutions of collegiate rank to except and exempt from the payment of all fees, dues, and charges, except for lodging, board, and clothing, all citizens of Texas who have resided in Texas for a period of not less than twelve (12) months prior to the date of registration, and who served as nurses of, or as members in, the armed forces of the United States during the Spanish-American and/or the World War, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Laird, Mr. Lemens, Mr. Anderson, Mr. Moffett, Mr. Rogers of Ochiltree, Mr. Ray, Mr. Ratliff, Mr. Ford, Mr. Greathouse, Mr. Glass, Mr. Celaya, Mr. McKee, Mr. Long, Mr. McGregor, Mr. Merritt, Mr. Holland, Mr. Barron, Mr. Hartzog, Mr. Hankamer, Mr. Parkhouse, Mr. Dunlap, Mr. Bedford, Mr. Reed of Dallas, Mr. Weinert, Mr. Palmer, Mr. Ross, Mr.

Pope, Mr. Chastain, Mr. Stanfield, Mr. Mitcham, Mr. Renfro, Mr. Morse, Mr. Patterson, Mr. Canon, Mr. Aikin, Mr. Jones of Atascosa, Mr. Fuchs, Mr. Moore, Mr. Baker, Mr. Holloway, Mr. Latham, Mr. Dwyer, Mr. Hodges, Mr. Daniel, Mr. Kyle of Hays, Mr. Stubbsman, Mr. Dunagan, Mr. Metcalfe, Mrs. Hughes, Mr. Russell, Mr. Van Zandt, Mr. Roberts, Mr. Camp, Mr. Wells, Mr. Stinson, Mr. Lindsey, Mr. Stovall, Mr. Scott, Mr. Turlington, Mr. Shults, Mr. Riddle, Mr. Townsend, Mr. James, Mr. Alsup, Mr. Shannon, Mr. Smith, Mr. Tennyson, Mr. Walker, Mr. Mathis, Mr. Steward, Mr. McClain, Mr. Jackson, Mr. Reed of Bowie, Mr. Fain, Mr. Burns, Mr. Tillery, Mr. Rogers of Hunt, Mr. Crossley, Mr. Hester, Mr. Davidson, Mr. Savage, Mr. Golson, Mr. Beck, Mr. Harman, Mr. Cathey, Mr. Colson, Mr. Holekamp, Mr. Duvall, Mr. Alexander, Mr. Devall, Mr. Young, Mr. Butler, Mr. Leonard, Mr. Jones of Shelby, Mr. Hoskins, Mr. Jefferson, Mr. Barrett, Mr. Morrison, Mr. Mackay, and Mr. Munson:

H. B. No. 15, A bill to be entitled "An Act authorizing and directing the administrative or governing authorities of the public educational institutions of this State to except and exempt from the payment of all dues, fees, and charges, except for board and clothing, all citizens of Texas who served as nurses or in the armed forces of the United States during the World War or during the Spanish-American War and who were honorably discharged therefrom, and giving said citizens a preferential right to be admitted to the benefits of said institutions, and declaring an emergency."

Referred to Committee on Education.

MESSAGES FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following messages from the Governor:

Executive Office,
Austin, Texas, September 22, 1933.
To the Forty-third Legislature in First Called Session:

By request of Senator Parr and Representative Pope, I submit for your consideration a bill hereto attached, to be entitled "An Act amending the provisions of Article 2968,

Revised Civil Statutes of Texas, 1925, as amended by House Bill No. 123, Chapter No. 26, of the Fifth Called Session of the Forty-first Legislature."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 22, 1933.
To the Forty-third Legislature in First Called Session:

By request, I submit herewith for your consideration two bills which appear to have practically the same subject matter, to wit:

"An Act directing and authorizing administrative or governing authorities of the public educational institutions to except and exempt from payment of dues, fees, and charges, except for lodging, board, and clothing, all citizens of Texas who have served as nurses or as members in the armed forces of the United States during the World War or during the Spanish-American War and who were honorably discharged.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 22, 1933.
To the Forty-third Legislature in First Called Session:

By request of the Racing Commission, I submit for your consideration a bill hereto attached, to be entitled "An Act amending and reenacting Subsections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, of Chapter 166, of the Acts of the Forty-third Legislature, being House Bill No. 167, pages 428 to 433, of the Session Acts of the Forty-third Legislature."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

RELATIVE TO VIOLATION OF ANTI-NEPOTISM LAW

Mr. Cathey offered the following resolution:

H. C. R. No. 7, Relative to the violation of the Anti-Nepotism Law.

Whereas, In the Regular Session of the Forty-third Legislature, there was embodied in the appropriation bill a special provision that not more

than one person out of any one immediate family could be on the pay roll and draw a salary from the State; and

Whereas, In a free conference committee of the House and Senate, said provision was altered and revised in such a way that it seems to have made it difficult for heads of departments of the State of Texas to understand just what was meant; and

Whereas, The Attorney General, James V. Allred, wrote an opinion on the purposes and meaning of the amendment to the appropriation bill, passed by the Regular Session of the Forty-third Legislature, and, with all of his wisdom, learning, and law, and inclination to write honest and fair opinions, was unable, on account of the uncertainty and meaning of a statute, to determine just what was intended by the House and Senate, said opinion completely destroying the influence of the amendment and making it possible for the violation of the real spirit and intention of the Legislature; and

Whereas, The heads of departments in the Capitol, at Austin, Texas, have been and are wholly disregarding and directly and indirectly violating, not only the spirit of the Anti-Nepotism Law, but also the very letter of the law in appointing kinsfolk by swapping out and using what is known as swapping kinsfolk or swapping jobs; and

Whereas, The violation of the Anti-Nepotism Law has become a stench in the nostrils of all right-thinking people; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the two Bodies offer this as an explanation of what they meant, and that this resolution be taken as not an interpretation of their meaning, but an actual explanation in plain English of their meaning, and what they intended should be done and what should not be done.

1.

Our meaning, first, is that it is wrong in principle for any citizen to violate any law of the land, but still more wrong, and out of place, and deserving of criticism and condemnation for departments of this State to violate a plain provision of the law.

2.

We mean, and want it understood, that no man who is drawing a salary

from the State should have his wife on the pay roll of the State in another department of this Capitol; that no man or woman who is drawing a salary from the State should place upon the pay roll or give employment to any one related to her or him by blood or marriage.

3.

We mean that it is wrong and in violation of the Anti-Nepotism Law and in violation of the amendment to the appropriation bill, passed at the Regular Session of the Forty-third Legislature, for a head of one department to go to another head of another State department and say to him, "You appoint my boy in your department, and I will appoint your girl in my department," that would be evading the purpose and intention of the Anti-Nepotism Law.

4.

We mean that if it is wrong for the poorest and most illiterate man or woman in all the land to violate the plain letter of the law, that it is still more ridiculous and deserving of criticism and condemnation for educated and intelligent heads of departments to hold in disregard a plain letter of the law.

5.

We mean that we are living today under extraordinary circumstances, and that there has been and is being made a great effort by our President, Franklin D. Roosevelt, to divide up jobs and give employment so that there need not be any real distress and hunger in any American home.

6.

We mean that in this great land of ours, all men with their families have a right to live and enjoy a reasonable livelihood; and, be it further

Resolved, That the Speaker of the House appoint three House Members and the President of the Senate appoint two Members of the Senate, and select one of their number as chairman, to administer oaths, and with authority to bring before said committee heads of any department or other witnesses, without pay, to testify and give information and names of parties holding positions in their respective departments who are related by blood or marriage and

whether or not they were put on the pay roll by other department heads by means of a swap-out and exchange of courtesies in handing out jobs to their respective relatives.

CATHEY,
ALSUP.

The resolution was read second time.

Mr. Lemens moved that the resolution be referred to the Committee on Appropriations.

Mr. Cathey moved to table the motion to refer the resolution.

The motion to table was lost.

Question then recurring on the motion to refer the resolution, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—69

Adamson.	Jones of Runnels.
Aikin.	Kyle of Hays.
Barrett.	Laird.
Beck.	Lemens.
Bourne.	Lindsey.
Burns.	Magee.
Butler.	McClain.
Camp.	McGregor.
Canon.	Metcalfe.
Caven.	Mitcham.
Celaya.	Moffett.
Clayton.	Moore.
Colson.	Morrison.
Daniel.	Morse.
Davidson.	Patterson.
Dean.	Pavlica.
Devall.	Pope.
Ford.	Ray.
Fuchs.	Reed of Dallas.
Golson.	Riddle.
Graves.	Rollins.
Griffith.	Shannon.
Hankamer.	Shults.
Harman.	Stanfield.
Harris.	Stinson.
Head.	Sullivan.
Hill of Brazoria.	Tennyson.
Hill of Webb.	Tillery.
Hodges.	Townsend.
Holekamp.	Van Zandt.
Holland.	Walker.
Hyder.	Weinert.
Jackson.	Wells.
James.	Wood.
Jones of Atascosa.	

Nays—37

Alexander.	Coombes.
Alsop.	Crossley.
Baker.	Dunagan.
Bedford.	Fain.
Cathey.	Few.

Fisher.	Purveyar.
Glass.	Reed of Bowie.
Good.	Renfro.
Hester.	Rogers
Hicks.	of Ochiltree.
Holloway.	Russell.
Huddleston.	Smith.
Hunt.	Stovall.
Jones of Shelby.	Stubbeman.
Kyle of Palo Pinto.	Thomas.
Latham.	Turlington.
Mackay.	Vaughan.
McCullough.	Winningham.
Nicholson.	Young.

Present—Not Voting

McKee.

Absent

Anderson.	Hughes.
Barron.	Jefferson.
Bradley.	Leonard.
Calvert.	Long.
Cowley.	Mathis.
Dunlap.	Parkhouse.
Duvall.	Ramsey.
Dwyer.	Reader.
Engelhard.	Roberts.
Goodman.	Rogers of Hunt.
Greathouse.	Ross.
Harrison.	Scarborough.
Hartzog.	Steward.
Hoskins.	Tarwater.

Absent—Excused

Chastain.	Merritt.
Johnson	Munson.
of Anderson.	Palmer.
Johnson	Ratliff.
of Dimmit.	Savage.
Kayton.	Scott.
Lotief.	Wagstaff.
McDougald.	

COMMUNICATION IN REGARD TO ENFORCEMENT OF NATIONAL RECOVERY ACT

On motion of Mr. McGregor, the following communication was ordered printed in the Journal:

Washington, D. C.,
September 21, 1933.

Hon. T. H. McGregor, House of Representatives, Austin, Texas.

We today received wire from Roland Bradley, as follows:

"Texas Legislature confused over necessity to comply with your uniform act making NIRA effective for intra-state commerce. Doing my utmost to persuade the House and Senate to enact this Section of uniform Act.

Some Members seem unable to realize more is needed than suspension of Anti-Trust Law. Please wire me at once necessity for compliance with your Section on intrastate commerce," which we answered as follows:

"In normal course, your telegram to General Johnson was referred to the legal department. As has been explained in numerous communications with prominent citizens in Texas, we feel that the thing of major importance to be desired at this time is partial suspension of anti-trust laws in a number of States, including Texas, for the purpose of allowing persons to meet and formulate codes, and after the code has been approved by the President of the United States, to allow citizens of the State to act in conformity with the terms of the code. It also appears to us that it would be desirable in this time of emergency to have citizens in all States subject to uniform trade practices and labor standards, regardless of whether their particular activity would, in other times, have been considered technically in or affecting interstate commerce. Our desire is to conclusively and finally defeat the depression by uniform action of all the people of the United States. Our reason for suggesting the provisions about which you wire is to forestall chisellers in any particular industry who attempt to violate the spirit of the program of progress under the pretext that there might be a technicality which relieves them from complying while their competitors raise the standards of doing business. You and all other Members of the Texas Legislature know that this Administration does not have the slightest desire to interfere with the sovereignty of Texas."

JOHN M. KEATING,
Assistant Counsel, NRA.

REGARDING OFFICE SPACE IN CAPITOL

Mr. Alsop offered the following resolution:

Whereas, It has come to the attention of the Members of the House of Representatives that certain departments of State Government which were to have been housed in office space which is a part of the Senate Chamber have been required to seek other quarters by the Senate so that

the Senators may have private offices for themselves and their principal employes; and

Whereas, It is common knowledge that the State of Texas has a large and increasing deficit in its Treasury; and

Whereas, Although this Legislature has consistently tried to provide adequate quarters for each department of the State Government in some building or property belonging to the State so that expensive office rentals may be avoided; and

Whereas, Although the State has recently completed an office building for the State Highway Department, and thereby removed some of the State departments to the Land Office Building, there is still inadequate space in the building belonging to the State Government for the housing of all State departments, and especially the departments which have limited personnel, and which small departments have heretofore occupied offices in the Senate and the House of Representatives; and

Whereas, By the forced removal of those departments housed in the Senate Chamber, the State Board of Control has found it necessary to rent office space in the office building in the City of Austin at great expense to the Treasury; and

Whereas, It is the spirit of this Legislature that no department of this State Government should seek to spend money unnecessarily while the State Treasury is overdrawn and on deficit, although the Senate must necessarily have expensively furnished private offices and private telephones for its Members and principal employes which have cost more than \$2,700, without furniture and exclusive of necessary labor; now, therefore, be it

Resolved by the House of Representatives, That the Speaker of the House of Representatives is authorized and directed to set apart for the use of such State departments as are now supporting offices in privately-owned office buildings any quarters or rooms that may be available in the Chambers of the House of Representatives, and the House respectively asks that the Senate refrain from installing further expensive office equipment in the offices of the State Senate, and to refrain from the installing of

private elevators for the thirty-one persons composing the State Senate.

ALSUP,
SCOTT,
RUSSELL,
LOTIEF,
THOMAS,
MERRITT.

The resolution was read second time, and was adopted.

REQUESTING GOVERNOR TO SUBMIT CERTAIN SUBJECT

Mr. Stinson offered the following resolution:

Whereas, Senate Bill No. 262, passed at the Regular Session of the Forty-third Legislature, and now known as Chapter 169, General Laws of the Forty-third Legislature, provided, among other things, for the remission of the interest and penalties on taxes that were delinquent on February 1, 1933, and due the State, county, and certain governmental districts; and

Whereas, Under the terms and provisions of said bill, as applied to the taxes for the year 1932, those who paid one-half of such taxes on or before November 30, 1932, as provided by law, but who failed to pay the second half of such taxes before February 1, 1933, are not entitled, under said Act, to the remission of the penalties and interest on the second half of such taxes, while those who did not pay any part of said 1932 taxes are entitled to all the benefits of such Act; and

Whereas, The said bill is unjust and unfair to those who paid the one-half of said 1932 taxes, and same should be amended to give such taxpayers the benefits of said bill as to the last half of said 1932 taxes; and

Whereas, A request has been signed by about thirty Members of the House, asking the Governor of the State to submit to the Special Session of the Legislature the matter of amending said Senate Bill No. 262, passed at the Regular Session, for the purpose of allowing the benefits of said bill to those who are delinquent on the second half of said 1932 taxes, which said request of said Members is hereto attached; now, therefore, be it

Resolved by the House of Representatives, That Her Excellency, the

Governor of the State, be requested to submit at this Called Session the matter of amending Senate Bill No. 262, for the purposes hereinabove set out; and, be it further

Resolved, That the names of all Members voting for this resolution be added to the same, and a copy of this resolution be sent to the Governor, and that she be respectfully requested to submit said matter at this Special Session of the Legislature.

Austin, Texas, September 16, 1933.

Hon. Miriam A. Ferguson, Governor,
Austin, Texas.

Dear Governor: Your attention has, no doubt, been called to what is evidently a defect or mistake in Senate Bill No. 262, which is now known as Chapter 169, of the General Laws of the Forty-third Legislature, which bill was passed at the Regular Session, remitting penalties and interest on delinquent taxes under certain conditions.

That bill provides for the remission of the interest and penalties under the conditions provided on taxes that were delinquent on February 1, 1933, due the State, county, and certain governmental districts. Under this bill, those who paid half of their taxes on or before November 30, 1932, but failed to pay the other half before February 1, 1933, can not secure the benefits of the provisions of this bill; while those who did not pay any of their taxes are entitled to such benefits and privileges. It is obvious that this situation is unjust and unfair and works a hardship on those who had paid half of their taxes; in other words, it penalizes the ones who paid, which is not just.

Therefore, we, the undersigned Members of the House, respectfully request and petition you, in the event your views on this matter are similar to ours, to submit to this Special Session of the Legislature, the matter of amending said Senate Bill No. 262, passed at the Regular Session, so as to include within the provisions and benefits thereof taxes that were delinquent on or before July 1, 1933.

Thanking you for your consideration of this matter, we are,

Very respectfully yours,

Signed—Fisher, Jones of Atascosa, Fuchs, Devall, Reed of Dallas, Winningham, Holekamp, Weinert, Han-

kamer, Stinson, Glass, Shults, Mitcham, Morrison, Hicks, Hughes, Metcalfe, Lindsey, Few, Leonard, Jones of Runnels, Burns, Kyle of Palo Pinto, Rogers of Hunt, Hoskins, Hodges, Alexander, Sullivant, Van Zandt, Shannon.

The resolution was read second time.

Mr. Leonard offered the following amendment to the resolution:

Amend the resolution by striking out the words "for the purposes hereinabove set out," in the fifth paragraph of the resolution.

The amendment was adopted.

The resolution as amended was adopted by the following vote:

Yeas—107

Adamson.	Hicks.
Aikin.	Hill of Webb.
Alexander.	Hodges.
Alsup.	Holekamp.
Anderson.	Holland.
Baker.	Holloway.
Barrett.	Hoskins.
Barron.	Huddleston.
Bourne.	Hughes.
Bradley.	Hunt.
Burns.	Hyder.
Butler.	James.
Calvert.	Jones of Atascosa.
Camp.	Jones of Runnels.
Canon.	Jones of Shelby.
Cathey.	Kyle of Hays.
Caven.	Laird.
Celaya.	Latham.
Clayton.	Leonard.
Coombes.	Lindsey.
Cowley.	Mackay.
Crossley.	Magee.
Davidson.	McClain.
Dean.	McCullough.
Devall.	McKee.
Dwyer.	Metcalfe.
Fain.	Mitcham.
Few.	Moffett.
Fisher.	Moore.
Ford.	Morrison.
Fuchs.	Patterson.
Glass.	Pavlica.
Golson.	Puryear.
Good.	Ramsey.
Goodman.	Ray.
Graves.	Reader.
Griffith.	Reed of Bowie.
Hankamer.	Reed of Dallas.
Harris.	Renfro.
Harrison.	Riddle.
Hartzog.	Roberts.
Head.	Rogers
Hester.	of Ochiltree.

Rollins.
Russell.
Scarborough.
Shannon.
Shults.
Stanfield.
Steward.
Stinson.
Stovall.
Stubbeman.
Tarwater.

Tennyson.
Thomas.
Tillery.
Townsend.
Turlington.
Van Zandt.
Vaughan.
Walker.
Weinert.
Winningham.
Wood.

Absent

Beck.	Lemens.
Bedford.	Long.
Colson.	Mathis.
Daniel.	McGregor.
Dunlap.	Morse.
Dunagan.	Nicholson.
Duvall.	Parkhouse.
Engelhard.	Pope.
Greathouse.	Rogers of Hunt.
Harman.	Ross.
Hill of Brazoria.	Smith.
Jackson.	Sullivant.
Jefferson.	Wells.
Kyle of Palo Pinto.	Young.

Absent—Excused

Chastain.	Merritt.
Johnson	Munson.
of Anderson.	Palmer.
Johnson	Ratliff.
of Dimmit.	Savage.
Kayton.	Scott.
Lotief.	Wagstaff.
McDougald.	

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, September 22, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 5, Relative to a Joint Session of the House and Senate, September 20, 1933, at 10:15, to hear Dr. Aubrey Williams, Regional Field Representative of the Federal Emergency Relief Administration.

H. C. R. No. 6, Relative to United States production credit corporation, co-operative banks, and emergency relief legislation.

H. C. R. No. 8, Recommending distribution of emergency relief funds to unemployed seeking hospital care.

H. C. R. No. 3, Relating to the fixing of an equitable price for the present cotton crop. (With amendment.)

Respectfully,
BOB BARKER,
Secretary of the Senate.

EXTENDING TIME FOR FILING CERTAIN FIELD NOTES

Mr. Dunlap offered the following resolution:

H. C. R. No. 9, Resolution extending time for filing field notes by Alejandro G. Trenino Post No. 390 of American Legion, under Chapter 76, Special Laws, Regular Session, Forty-third Legislature.

Whereas, By Chapter 76, Special Laws, Regular Session, Forty-third Legislature, the Commissioner of the General Land Office was authorized to lease to Alejandro G. Trenino Post No. 390 of the American Legion, of Willacy County, certain submerged lands in Red Fish Bay, all as set out in said Act, and

Whereas, It was provided in Section 2 of said Act that said American Legion Post No. 390, of Willacy County, should file field notes of said land in the General Land Office within ninety days of the effective date of said Act, and

Whereas, Said Act became effective May 16, 1933, and said ninety days expired before said field notes were filed, said failure to file said field notes being caused by the serious illness of the commander of said American Legion Post, who was in a sanitarium at Temple, Texas, at the time, now, therefore, be it

Resolved by the Legislature of Texas, That the time granted for filing field notes under Section 2, Chapter 76, Special Laws, Regular Session, Forty-third Legislature, be, and the same is hereby, extended to November 16, 1933, and said Alejandro G. Trenino Post No. 390 of the American Legion, of Willacy County, shall have until November 16, 1933, in which to file field notes of said lease.

The resolution was read second time, and was adopted.

BILL RE-REFERRED

Mr. Leonard moved that House Bill No. 13 be withdrawn from the Committee on State Affairs and referred to the Committee on Privileges, Suffrage, and Elections.

Mr. Pope moved to table the motion by Mr. Leonard.

The motion to table was lost.

Question recurring on the motion by Mr. Leonard, that the bill be referred to the Committee on Privileges, Suffrage, and Elections, it prevailed.

ADJOURNMENT

On motion of Mr. Anderson, the House, at 11:40 o'clock a. m., adjourned until 10 o'clock a. m., next Monday.

APPENDIX

STANDING COMMITTEE REPORT

The Committee on Education filed a favorable report on House Bill No. 15.

In Memory of Hon. Bowd Farrar

Mr. Stovall offered the following resolution:

It is with distressing frequency that the House of Representatives is called upon of late to record the passing of some distinguished citizen, whose service in this Body, during the years gone by, has been a profound inspiration to those who come after him. This was especially true, when on June 9, 1933, in his home at Waxahachie, Ellis County, Texas, Hon. Bowd Farrar fell gently to sleep. He was 66 years of age, and had spent his entire life in his native county (Ellis) and State. After obtaining a common school education, he entered the State University of Texas, graduating in law several years later. Soon after his graduation from the State University, he was married to Miss Nettie Johnson, of Shelby County, Texas. Their home was blessed with a large family of splendid sons and daughters, who are carrying on nobly, in their farther's footsteps. Judge Farrar entered the practice of law in Waxahachie, where he practiced but a short time preceding his election to the office of county attorney; he served his county in this capacity for four years, making a most enviable reputation. He was an able lawyer and jurist. He served in the House of Representatives during the Thirty-ninth, Fortieth, Forty-first, and Forty-second Legislatures.

When news of his death was announced, his friends were inexpressibly shocked. It had been known for several months that he was a very sick man, but the sorrow at his passing was none the less poignant to those who shared his friendship. When the pale messenger closed his weary eyes in rest, there never passed from earth a soul of nobler build. He belonged to that race of men who never lost interest in the hopes, the aspirations, and the general welfare of the masses. His great intellect and abiding faith, that common justice should be the rule and guide between communities, as well as between men, always placed him in the vanguard of the most able defenders of the principles upon which this Government was founded. Having spent most of his life in the practice of law, he was wont to go deeper than ordinary rules would imply, in all matters at issue; hence, he would often be found making application beyond rate or control of mere statutes. He was ever alert to see that all statutes squared with their deeper fundamentals which he found either by implication or direction in the written Constitution. Hence, it was that he came to be known and regarded as a sound and safe practitioner at the bar. He had a great knowledge of history and his literary side beamed with a brilliance unsurpassed.

In matters of government, he had a great and clear vision of those who have come and gone before, as well as those who exercise in the world of today. Freedom of speech, freedom of press, and freedom of religion constituted the trinity upon which he staked his political and moral faith, and by which he lived.

For more than forty years he took an active part in the affairs of his native State, always a potent factor in the community in which he lived. He was associated with distinction in every movement for the common good. While firm in his views and never faltering while choosing his course, as he saw it, he was with all, a man of charming demeanor. His condemnation of hypocrisy was only equalled by his defense of truth and righteousness.

He loved the truth for the truth only, and scorned traitors and hypocrites because these twin evils have always been subversive of orderly society. His mind was of that rare quality that scrutinizes questions in their larger aspects, always subordinating details to the clear grasp of the principles which they involved, and ever subjecting their lesser bearings to the attainments of right and justice. But with this he never failed to remember that the justice which he had in mind, was that

which comprehended the acts between man and man, as applied to the whole race, rather than to a few individuals. With this quality of mind, he combined a delightful and inspiring candor in his relations with the brethren of his profession.

Always firm in his views, he possessed that rare courage which counted it no weakness to yield, when convinced that he was wrong. One of the finest characteristics of this gifted man was his simple, child-like faith. He had faith in himself, faith in his fellow man, and faith in the goodness of God. He viewed the beauties of the world with his face forward, and firmly believed that right would eventually triumph over wrong, and justice over injustice, wherever a contest had been waged.

He has left a great and imperishable imprint upon the minds of those who knew him, both in his private life and his public career; the former founded in an unbroken course of unselfish conduct and in the splendid fruition of an upright life; and the latter woven into the endearing records of his native State. By reason of his profession, he was given great opportunity for good, which he in part created. Always and everywhere, his neighbors would find him spending—spending for matters that made for their betterment and common welfare. The nature of his calling constantly brought him in contact with those in trouble and unable to pay for his service, and to these, he gave freely, without the hope of any reward.

We can well understand that what we say here will not add to, nor detract from, his golden graces. His course is run, and looking back upon his life's run may only enable us to accept what he did here at its true value, and appreciate its larger meaning to the proper elevation of our own poor nature and subject its usage to the greater principles, for which they were given into our feeble hands. It is certain that we do but render service to ourselves when we pause to contemplate the race of men like Bowd Farrar, and steep ourselves in the memory of their virtues and their achievements. May His Ashes Rest in Peace.

Resolved by the House of Representatives, That this resolution be printed in the House Journal, and a copy be sent to his family at Waxahachie, Texas, and when the House adjourns this day, it do so out of respect to his memory.

STOVALL,
FEW,
GOODMAN,

MOFFETT,
METCALFE,
ROGERS of Hunt,

JONES of Atascosa,
SAVAGE.

The resolution was read second time.

On motion of Mr. Alexander, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Fisher, Ford, Fuchs, Glass, Golson, Good, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McClain, McCuillough, McDougald, McGregor, McKee, Merritt, Mitcham, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roberts, Rogers of Ochiltree, Rollins, Ross, Russell, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stubbeman, Sullivant, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Winningham, Wood, Young.

The resolution was unanimously adopted by a rising vote.